

WEDNESDAY, December 23, 1857.

The Senate met pursuant to adjournment—Prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Britton presented the memorial of certain citizens of Nueces county; referred to the Joint committee on Stock and Stock Raising.

Mr. Russell, chairman of the committee on Engrossed Bills, reported—

A bill to amend the charter and for the relief of the Houston Texas Central Railroad Company; and

A bill to release the right of the State to mines, minerals, salt licks, and salt springs, and to allow the public domain upon which the same is situated to be located, correctly engrossed.

A message was received from the House, informing the Senate that the House had passed a Senate's bill to amend the charter and for the relief of the Houston Texas Central Railroad company.

Mr. Taylor of Houston, chairman of the committee on Enrolled Bills, reported—

A bill to incorporate Colorado College; and

A bill to provide for the sale of a certain amount of the United States five per cent. bonds, correctly enrolled, properly signed, and this day presented to the Governor.

Mr. Pirkey, chairman of the committee on Public Lands, made the following report:

The committee on Public Lands have considered a bill for the relief of Edward Seeligson, as assignee of the heirs of H. R. Eyles, dec'd. The petitioner claims under a colony certificate issued to Robert Eyles, as a colonist in Power & Hewitson's colony, dated November 20th, 1834. Upon extending the survey it conflicts with three other surveys, prior in date, and consequently falls short in quantity nine hundred and seventy-five acres. There seems to be no doubt as to the facts, but the committee are divided as to the policy of granting relief in such cases and although in this case it would be but justice, it would be a precedent upon which a hundred leagues might be claimed. Besides this, were the Legislature to authorize the issuance of this certificate, it would be necessarily passing upon the validity of the original grants.

The committee therefore return the bill without recommending its passage or rejection, for the consideration of the Senate.

Mr. Walker presented the memorial of Lewellen Murphy ; referred to the committee on Counties and County Boundaries.

Mr. Russell offered the following resolution :

*Resolved, by the Senate, the House concurring,* The two houses of the present Legislature will adjourn *sine die* on Monday, February 1st, 1858, at 10 o'clock, A. M.

Laid over one day under the rule.

#### ORDERS OF THE DAY.

The report of the committee upon Private Land Claims, upon

The petition of Reuben Barbee ;

The petition of Robert McKim ; and

A bill for the relief of Samuel Raymond, or his assignee, recommending the reference of the same to the Joint committee on the Court of Claims, was read and adopted.

A bill to amend the 4th section of an act to organize county courts, passed March 16th, 1848, was read and ordered to be engrossed.

On motion of Mr. Potter, the rule was suspended, bill read a third time.

Mr. Walker moved to amend the bill by exempting the county of Tarrant from its provisions.

On motion of Mr. Potter, the amendment was laid on the table.

Mr. Taylor of Fannin moved to amend by exempting the county of Fannin from the provisions of the bill ; lost.

Mr. McCulloch offered the following amendment :

" Provided that no county in this State shall be permitted to levy a county tax upon any lands not contained within the limits of the county boundaries, as defined by the law."

Lost, and the bill passed by the following vote :

YEAS—Messrs. Britton, Caldwell, Fall, Grimes, Guinn, Hyde, Lott, Martin, Paschal, Pirkey, Potter, Scarborough, Stockdale, Taylor of Cass, Throckmorton and Wren—16.

NAYS—Messrs. Burroughs, McCulloch, Russell, Taylor of Fannin, Truitt and Walker—6.

A bill to authorize John J. Johnson to keep his mill in operation at a point on the Colorado River, opposite block No 185, read and ordered to be engrossed.

On motion of Mr. Caldwell, the rule was suspended, bill read a third time and passed.

A House bill to organize the county of Presidio was read and passed to a third reading,

On motion of Mr. Hyde, the rule was suspended, bill read a third time and passed.

A bill to incorporate the town of Bonham, with the report of the committee on the Judiciary, offering amendments thereto, was read, amendments adopted, and bill passed to a third reading.

On motion of Mr. Taylor of Fannin, the rule was suspended, bill read a third time and passed.

A House bill for the relief of Martin Winne; read and passed to a third reading.

On motion of Mr. Taylor of Cass, the rule was suspended, bill read a third time and passed.

On motion of Mr. Throckmorton, the rule was suspended, and a bill for the relief of Edward Seeligson, as assignee of the heirs of H. R. Eyles, deceased, was taken up and read.

On motion of Mr. Guinn, the bill was indefinitely postponed by the following vote:

YEAS—Messrs. Burroughs, Caldwell, Fall, Graham, Grimes, Guinn, Lott, Martin, Pirkey, Russell, Taylor of Cass, Taylor of Fannin, Taylor of Houston, Walker and Wren.—15.

NAYS—Messrs. Britton, Hyde, Paschal, Potter, Scarborough, Stockdale, Throckmorton, Truitt and Wigfall—9.

A message was received from the House, informing the Senate that the House had passed—

A Senate's bill to create the county of Clay; and

A Senate's bill to create the county of Montague.

A House bill to incorporate the town of Weatherford, was read and passed to a third reading.

On motion of Mr. Walker, the rule was suspended, bill read a third time and passed.

The report of the committee on Claims and Accounts on the petition of Mrs. Ann T. Hunt, was, on motion of Mr. Russell made the special order for the seventh day of January next.

The report of the committee on Public Lands, on the petition of James Montgomery, was read, and on motion of Mr. Grimes, laid on the table.

A bill to incorporate the Indianola Railroad Company was read.

Mr. Caldwell offered the following amendment :

"Provided, That if any other Railroad company, or companies, shall make a complete connection between the coast or the navigable rivers of the Gulf of Mexico and the city of Austin, and shall put under contract a section of Railroad beyond said city of Austin, in the direction of the route of the Indianola Railroad company, before the said Indianola Railroad shall be completed to said city of Austin, then, and in that case, the said Indianola Railroad company shall forfeit all right to continue the construction of said Railroad beyond the said city of Austin."

Adopted.

The bill was then ordered to be engrossed.

On motion of Mr. Stockdale, the rule was suspended, bill read a third time and passed by the following vote :

YEAS—Messrs. Britton, Burroughs, Caldwell, Fall, Graham, Grimes, Guinn, Hyde, Lott, McCulloch, Paschal, Pirkey, Potter, Russell, Stockdale, Taylor of Fannin, Taylor of Houston, Throckmorton, Truitt and Wren—20.

NAYS—Messrs. Taylor of Cass and Walker—2.

A bill to create every county into a separate Land District, was read, and on motion of Mr. Russell, laid on the table.

Mr. Grimes presented the petition of Moodie and Dohme ; referred to the committee on Claims and Accounts.

A House bill making a contingent appropriation for the support of the State Penitentiary, read and passed to a third reading.

On motion of Mr. Lott, the rule was suspended, bill read a third time and passed.

The substitute offered by the Judiciary committee for a bill to incorporate the Western Texas Life, Fire, and Marine Insurance company of the city of San Antonio, was read, adopted, and bill ordered to be engrossed.

On motion of Mr. Potter, the rule was suspended, bill read a third time and passed by the following vote :

YEAS—Messrs. Britton, Burroughs, Caldwell, Fall, Grimes, Guinn, Hyde, Lott, McCulloch, Martin, Paschal, Pirkey, Potter, Russell, Stockdale, Taylor of Cass, Taylor of Fannin, Taylor of Houston, Throckmorton, Truitt, Walker and Wren—22.

NAYS—None.

A bill to amend the 1st section of a joint resolution for the relief of the company of rangers commanded by Captain Wm.

Becknell in the year 1836, approved February 11th, 1852, was read and ordered to be engrossed.

On motion of Mr. Russell, the rule was suspended, bill read a third time and passed.

The report of the committee on State Affairs on a bill for the relief of certain counties therein named, offering a substitute therefor, was read and the substitute adopted.

Mr. Taylor of Cass moved to postpone the bill to a day certain—(next Friday week)—lost.

The yeas and nays being taken on the engrossment of the bill, stood thus :

YEAS.—Messrs. Britton, Caldwell, Hyde, McCulloch, Potter, Stockdale, Taylor of Cass, Taylor of Fannin and Throckmorton—9.

NAYS.—Messrs. Burroughs, Fall, Graham, Grimes, Guinn, Lott, Martin, Paschal, Pirkey, Russell, Taylor of Houston, Truitt, Walker and Wren—14.

So the bill was rejected.

Mr. Paschal moved a reconsideration of the vote just taken.

Mr. McCulloch moved to lay that motion on the table, and make it the special order for the first Tuesday in January next; lost by the following vote :

YEAS.—Messrs. Britton, Caldwell, Hyde, McCulloch, Paschal, Potter, Stockdale, Taylor of Fannin and Throckmorton—9.

NAYS.—Messrs. Burroughs, Fall, Graham, Grimes, Guinn, Lott, Martin, Pirkey, Russell, Taylor of Cass, Taylor of Houston, Truitt, Walker and Wren—14.

The motion to reconsider failed to carry.

On motion of Mr. Martin, the Senate adjourned until tomorrow morning at 10 o'clock.

THURSDAY, Dec. 24th, 1857.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

A message was received from the House informing the Senate that the House had passed a bill, originating in that